

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SCOTT CAWTHON,

Plaintiff,

-v-

CONG TY TNHH THUONG MAI CANBEONE,

Defendant.

24 Civ. 3413 (PAE)

ORDER OF  
DEFAULT JUDGMENT

PAUL A. ENGELMAYER, District Judge:

On May 2, 2024, plaintiff Scott Cawthon filed the Complaint. Dkt. 1. On July 19, 2024, Cawthon filed an executed waiver of service on the docket of this case, pursuant to which defendant Cong Ty TNHH Thuong Mai Canbeone's deadline to answer or otherwise respond was September 4, 2024. Dkt. 7. Canbeone has not responded to the Complaint or appeared in this action to date.

On September 25, 2024, Cawthon obtained a Clerk's Certificate of Default. Dkt. 12. On October 8, 2024, Cawthon filed a motion for default judgment. Dkt. 14.


On October 15, 2024, the Court found that the papers in support of Cawthon's motion were in good order. Dkt. 15. The Court ordered Canbeone, if she wished to oppose the motion, to enter an appearance and file an opposition to Cawthon's motion for default judgment by November 5, 2024. *Id.* The Court ordered Cawthon to serve the October 15, 2024 order on Canbeone by October 22, 2025. *Id.* Cawthon did so. Dkt. 16. As noted, Canbeone has not entered an appearance to date or otherwise opposed Cawthon's motion.

The Court has reviewed Cawthon's motion for default judgment pursuant to Federal Rule of Civil Procedure 55(b), Dkt. 14, and his supporting affirmation, Dkt. 14-1. Because proof of

service has been filed; Canbeone has not answered the Complaint and the time for answering the complaint has expired; and Canbeone failed to appear to contest entry of a default judgment, the Court enters a default judgment for Cawthon against Canbeone.

The Court, by separate orders, will (1) grant the injunctive relief sought by the Complaint and (2) commission an inquest into damages. The Court respectfully directs the Clerk of the Court to terminate the motion pending at docket 14.

SO ORDERED.

  
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Paul A. Engelmayer  
United States District Judge

Dated: June 20, 2025  
New York, New York